

REMARKS

Claims 1, 2, 8, 10, 27 and 30-35 are currently pending in the subject application and are presently under consideration. Claims 1, 2, 8, 10, 27 and 30-35 have been amended as shown on pp. 2-5 of the Submission. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 2, 8, 10, 27, and 30-35 Under 35 U.S.C. §102(e)

Claims 1, 2, 8, 10, 27, and 30-35 stand rejected under 35 U.S.C. §102(e) as being anticipated by Holder *et al.* (US Publication 2002/0019824). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Holder *et al.* does not disclose, teach or suggest each and every limitation of the subject claims.

A single prior art reference anticipates a patent claim only if it ***expressly or inherently describes each and every limitation set forth in the patent claim.*** *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The ***identical invention must be shown in as complete detail as is contained in the ... claim.*** *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

The claimed subject matter relates to accessing data in a data source *via* a hierarchical representation or a relational representation of the data regardless of the structure of the data source (*See Summary*). In particular, independent claim 1 (and similarly independent claims 8, 27, 34 and 35) recites a system for accessing data, the system stored on computer storage medium, the system comprising a parser that receives and parses information associated with a data source, *a data document component that receives a portion of the parsed information, the data document component stores a hierarchical model representation of the portion of the parsed information associated with the data source and a data set component that receives the portion of the parsed information, the data set component stores a relational model representation of the at*

least a portion of the parsed information associated with the data source, the data set component and the data document component coordinate to enable access to the portion of the parsed information in either representation such that changes to the portion of the parsed information performed via the representation accessed are synchronized to the other representation. Holder *et al.* fails to disclose, teach or suggest such aspects.

Holder *et al.* relates to generically describing and manipulating arbitrary data structures (See Abstract). The schema structures of one or more data resources are described in XML files provided to the system (See paragraphs 62 and 65). The schema structures are employed to construct a single tree structure of the one or more resources (See paragraphs 45-49, 62 and 64 and Figs. 1 and 4). The single tree structure can be manipulated and, further, through the utilization of resource access performers, the manipulations are translated to the one or more resources comprising the single tree (See paragraphs 67-68). Thus, Holder *et al.* merges the structures of one or more resources into a *single* tree structure. Holder *et al.* is silent regarding storing *both* a hierarchical model representation and a relational model representation of information in a data source and further coordinating the two representations such that changes made to one representation are reflected in the other representation as recited by the subject claims. In other words, Holder *et al.* provides a single hierarchical representation of one or more resources while the claimed subject matter enable access to a data source *via* a hierarchical model representation and/or a relational model representation.

In view of at least the foregoing, it is respectfully submitted that Holder *et al.* does not disclose, teach or suggest each and every limitation recited by claims 1, 2, 8, 10, 27 and 30-25. Accordingly, this rejection should be withdrawn and the claims allowed.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited. In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063[MSFTP250US]. Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731